



House of Representatives

General Assembly

File No. 223

January Session, 2015

House Bill No. 6033

House of Representatives, March 26, 2015

The Committee on Environment reported through REP. ALBIS of the 99th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE INCLUSION OF JUICES, TEAS AND SPORTS DRINKS UNDER CONNECTICUT'S BOTTLE BILL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-243 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 For purposes of sections 22a-243 to 22a-245c, inclusive:

4 (1) "Carbonated beverage" means beer or other malt beverages, and
5 mineral waters, soda water and similar carbonated soft drinks in liquid
6 form and intended for human consumption;

7 (2) "Noncarbonated beverage" means any juice, tea, sports drink,
8 water, including flavored water, nutritionally enhanced water and any
9 beverage that is identified through the use of letters, words or symbols
10 on such beverage's product label as a type of juice, tea, sports drink or
11 water, but excluding [juice and] mineral water;

12 (3) "Beverage container" means the individual, separate, sealed

13 glass, metal or plastic bottle, can, jar or carton containing a carbonated
14 or noncarbonated beverage, but does not include a bottle, can, jar or
15 carton (A) three liters or more in size if containing a noncarbonated
16 beverage, or (B) made of high-density polyethylene;

17 (4) "Consumer" means every person who purchases a beverage in a
18 beverage container for use or consumption;

19 (5) "Dealer" means every person who engages in the sale of
20 beverages in beverage containers to a consumer;

21 (6) "Distributor" means every person who engages in the sale of
22 beverages in beverage containers to a dealer in this state including any
23 manufacturer who engages in such sale and includes a dealer who
24 engages in the sale of beverages in beverage containers on which no
25 deposit has been collected prior to retail sale;

26 (7) "Manufacturer" means every person bottling, canning or
27 otherwise filling beverage containers for sale to distributors or dealers
28 or, in the case of private label brands, the owner of the private label
29 trademark;

30 (8) "Place of business of a dealer" means the fixed location at which
31 a dealer sells or offers for sale beverages in beverage containers to
32 consumers;

33 (9) "Redemption center" means any facility established to redeem
34 empty beverage containers from consumers or to collect and sort
35 empty beverage containers from dealers and to prepare such
36 containers for redemption by the appropriate distributors;

37 (10) "Use or consumption" includes the exercise of any right or
38 power over a beverage incident to the ownership thereof, other than
39 the sale or the keeping or retention of a beverage for the purposes of
40 sale;

41 (11) "Nonrefillable beverage container" means a beverage container
42 which is not designed to be refilled and reused in its original shape;

43 and

44 (12) "Deposit initiator" means the first distributor to collect the
45 deposit on a beverage container sold to any person within this state.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2015	22a-243

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 16 \$	FY 17 \$
Revenue Serv., Dept.	GF - Revenue Gain	5.6 million	7.4 million
Revenue Serv., Dept.	GF - Cost	Up to 10,000	None

Municipal Impact: None

Explanation

The bill expands the beverage container redemption law to include juices, teas, and sports drinks. This results in a General Fund revenue gain of approximately \$5.6 million in FY 16 (partial year) and \$7.4 million in FY 17 and annually thereafter. This also results in a one-time cost of up to \$10,000 to the Department of Revenue Services (DRS) in FY 16 for revisions to the online Taxpayer Service Center through which the revenue is remitted.

The estimate is based on data from the Container Recycling Institute indicating that approximately 340 million new beverage containers per year would be covered under the bill.¹ Assuming an approximately 56% redemption rate based on current DRS data this results in additional annual deposits totaling \$17 million, of which \$9.6 million would be refunded to consumers and \$7.4 million would escheat to the General Fund.

The Out Years

The annualized ongoing fiscal impact identified above would

¹ This figure would decrease slightly if any of the new products covered under the bill are eligible for the existing exemption for certain small beverage manufacturers.

continue into the future subject to fluctuation in covered beverages' sales volume and the consumer redemption rate.

Sources: *Container Recycling Institute*
Department of Revenue Services Fiscal Year 2013-2014 Annual Report

OLR Bill Analysis**HB 6033*****AN ACT CONCERNING THE INCLUSION OF JUICES, TEAS AND SPORTS DRINKS UNDER CONNECTICUT'S BOTTLE BILL.*****SUMMARY:**

This bill expands the beverage container redemption law to include juices, teas, and sports drinks.

Current law covers:

1. carbonated soft drinks, including mineral and soda water;
2. beer or other malt beverages; and
3. water, including flavored or nutritionally enhanced water, and other beverages whose labels identify it as a type of water.

The law exempts certain small beverage manufacturers and beverages sold or offered for sale on interstate passenger carriers, such as trains. It also exempts bottles, cans, jars, or cartons (1) containing three or more liters of water or (2) made of high-density polyethylene. The bill applies these exemptions to juices, teas, and sports drinks.

Under the beverage container redemption law, covered beverages must have a refund value of at least five cents. Beverage containers sold or offered for sale in Connecticut must clearly indicate (1) either the container refund value or the words "return for deposit," "return for refund," or other words approved by the Department of Energy and Environmental Protection and (2) either the word Connecticut or the abbreviation, "Ct. "

EFFECTIVE DATE: October 1, 2015

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 19 Nay 10 (03/11/2015)